

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

ROGER L. TAYLOR,

Plaintiff,

vs.

Civil Action No. 7:11-CV-1351
(NAM/TWD)

VERMONT RAILWAY,

Defendant.

APPEARANCES:

David Lockard & Associates
15 West Highland Avenue
Philadelphia, PA 19118
Attorney for Plaintiff

Downs, Rachlin Law Firm
199 Main Street
P.O. Box 190
Burlington, VT 05402
Attorney for Defendants

OF COUNSEL:

David L. Lockard, Esq.
Danielle L. Pennetta, Esq.
Marc B. Heath, Esq.

Norman A. Mordue, U.S. District Judge

**JUDGMENT DISMISSING ACTION
BASED UPON SETTLEMENT**

Pursuant to a report of the mediator (Dkt. No. 59), the parties have entered into an agreement in settlement of all claims in this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

ORDERED, as follows:

- 1) The above captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within thirty days of the date of the filing of this order

upon a showing that the settlement was not consummated;

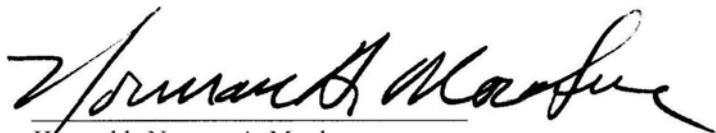
2) The dismissal of the above captioned case shall become **with prejudice** on the thirty-first day after the date of the filing of this order unless any party moves to re-open this case within thirty days of the date of filing of this order upon a showing that the settlement was not consummated. Upon completion of settlement, the parties are directed to exchange general releases and file a **Stipulation of Discontinuance** with the Court that must include language

"that no party hereto is an infant or incompetent" in compliance with N.D.N.Y.L.R. 41.3; and

3) The Clerk shall serve copies of this Judgment upon counsel in this matter by electronic means.

IT IS SO ORDERED

Date: May 28, 2013



Honorable Norman A. Mordue
U.S. District Judge

v

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